



HOUSE BILL No. 5287

February 3, 2000, Introduced by Reps. LaSata, Pappageorge, Byl, Geiger, Mead, Kukuk, Pumford, Cameron Brown, Jelinek, Caul, Mortimer, Scranton, Jellema, Godchaux, Jansen and Stamas and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY:

Average population	51,189
Full-time equated unclassified positions	16.0
Full-time equated classified positions	19,768.8
GROSS APPROPRIATION	\$1,703,340,600
Interdepartmental grant revenues:	
Total interdepartmental grants	616,700
Total intradepartmental transfers	6,093,800
ADJUSTED GROSS APPROPRIATION	\$1,696,630,100
Federal revenues:	
Total federal revenues	26,633,600
Restricted revenue funds:	
Total local revenues	429,500
Total private revenues	0
Total state restricted revenues	50,484,300
State general fund/general purpose	\$1,619,082,700

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	16.0
Full-time equated classified positions	83.5
Unclassified salaries	\$ 1,290,900
Executive direction--81.5 FTE positions . . .	7,854,700

1	Michigan youth correctional facility--2.0 FTE	
2	positions	<u>16,868,300</u>
3	GROSS APPROPRIATION	\$ 26,013,900
4	Appropriated from:	
5	Federal revenues:	
6	Federal revenues and reimbursement	16,868,300
7	State general fund/general purpose	\$ 9,145,600
8	Sec. 103. ADMINISTRATION AND PROGRAMS	
9	Full-time equated classified positions 425.4	
10	Administrative services--67.6 FTE positions	\$ 5,818,100
11	Prisoner programs and treatment--35.0 FTE	
12	positions	29,813,500
13	Training--32.5 FTE positions	19,247,800
14	Prison industries operations--203.8 FTE	
15	positions	15,504,100
16	Planning, research, and information services--86.5	
17	FTE positions	9,858,200
18	Rent	2,240,800
19	Equipment and special maintenance	2,054,000
20	Worker's compensation	16,060,400
21	Compensatory buyout and union leave bank	275,000
22	Reimbursement to counties, parole revocation	
23	hearings and court settlements	<u>4,051,000</u>
24	GROSS APPROPRIATION	\$ 104,922,900
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG-MDSP, Michigan justice training fund	616,700
28	Federal revenues:	
29	Federal revenues and reimbursements	5,709,400

1	Special revenue funds:	
2	Local revenues and reimbursements	122,900
3	Correctional industries revolving fund . . .	15,597,600
4	State restricted revenues and reimbursements	287,500
5	State general fund/general purpose \$	82,588,800
6	Sec. 104. FIELD OPERATIONS ADMINISTRATION	
7	Average population	808
8	Full-time equated classified programs 2,326.3	
9	Field programs--1,556.0 FTE positions \$	99,853,600
10	Parole board operations--22.0 FTE positions .	1,658,000
11	Rent and building occupancy charges	1,492,900
12	Boot camp-phase III/intensive supervision--72.0	
13	FTE positions	3,037,000
14	Parole/probation services	2,286,500
15	Tether operations--167.3 FTE positions . . .	8,107,400
16	Community residential programs--269.1 FTE	
17	positions	22,119,600
18	Technical rule violator program--104.9 FTE	
19	positions	9,330,000
20	Special alternative incarceration program--135.0	
21	FTE positions	<u>10,186,900</u>
22	GROSS APPROPRIATION \$	158,071,900
23	Appropriated from:	
24	Special revenue funds:	
25	Local revenues and reimbursements	306,600
26	State restricted revenues and reimbursements	16,995,600
27	State general fund/general purpose \$	140,769,700
28	Sec. 105. COMMUNITY CORRECTIONS	
29	Full-time equated classified positions .	17.0

1	Community corrections administration--17.0	
2	FTE positions	\$ 1,503,900
3	Community corrections board expense	15,000
4	Probation residential centers	14,896,600
5	Community corrections comprehensive plans and	
6	services	13,033,000
7	Public education and training	50,000
8	Regional jail program	100
9	County jail reimbursement program	<u>17,982,200</u>
10	GROSS APPROPRIATION	\$ 47,480,800
11	Appropriated from:	
12	Special revenue funds:	
13	State restricted revenues and reimbursements	13,744,700
14	State general fund/general purpose	\$ 33,736,100
15	Sec. 106. CONSENT DECREES	
16	Average population	400
17	Full-time equated classified positions	577.4
18	Prisoner rehabilitation education program	\$ 1,020,100
19	Hadix consent decree--157.0 FTE positions	10,762,900
20	DOJ consent decree--166.5 FTE positions	11,081,100
21	DOJ psychiatric plan-MDCH mental health	
22	services	71,380,700
23	DOJ psychiatric plan-MDOC staff and services-253.9	
24	FTE positions	<u>15,369,200</u>
25	GROSS APPROPRIATION	\$ 109,614,000
26	Appropriated from:	
27	State general fund/general purpose	\$ 109,614,000
28	Sec. 107. HEALTH CARE	
29	Full-time equated classified positions	1,016.5

1	Health care administration--18.0 FTE positions	\$ 3,580,300
2	Hospital and speciality care services	44,779,200
3	Adrian clinical complex--31.2 FTE positions .	3,435,900
4	Baraga clinical--18.9 FTE positions	1,488,000
5	Coldwater clinical complex--51.3 FTE positions	4,722,900
6	Detroit clinical complex--32.2 FTE positions	2,889,900
7	Ionia clinical complex--168.8 FTE positions .	11,778,900
8	Jackson clinical complex--231.9 FTE positions	26,947,100
9	Kincheloe clinical complex--65.0 FTE positions	6,618,100
10	Lapeer clinical complex--18.2 FTE positions .	1,517,500
11	Macomb clinical complex--17.4 FTE positions .	1,610,200
12	Marquette clinical complex--50.0 FTE positions	4,456,300
13	Muskegon clinical complex--56.5 FTE positions	3,909,400
14	Newberry clinical complex--19.8 FTE positions	1,512,400
15	Oaks clinical complex--15.7 FTE positions . .	1,926,300
16	Ojibway clinical complex--17.8 FTE positions	1,634,000
17	Plymouth clinical complex--54.5 FTE positions	4,458,500
18	Pugsley clinical complex--17.8 FTE positions	1,446,600
19	Saginaw clinical complex--17.4 FTE positions	1,344,600
20	St. Louis clinical complex--60.6 FTE positions	5,486,900
21	Standish clinical complex--18.0 FTE positions	1,845,100
22	Ypsilanti clinical complex--35.5 FTE positions	<u>2,756,000</u>
23	GROSS APPROPRIATION	\$ 140,144,100
24	Appropriated from:	
25	Federal revenues:	
26	Federal revenues and reimbursements	83,500
27	Special revenue funds:	
28	State general fund/general purpose	\$ 140,060,600
29	Sec. 108. CORRECTIONAL FACILITIES ADMINISTRATION	

1	Full-time equated classified positions	480.5	
2	Correctional facilities administration--19.0 FTE		
3	positions	\$	3,373,100
4	Leased beds		100
5	Academic/vocational costs--461.5 FTE positions		37,204,500
6	Inmate housing fund		<u>100</u>
7	GROSS APPROPRIATION	\$	40,577,800
8	Appropriated from:		
9	Federal revenues:		
10	Federal revenues and reimbursements		1,026,800
11	Special revenue funds:		
12	Correctional industries revolving fund . . .		83,800
13	State restricted revenues and reimbursements		8,000
14	State general fund/general purpose	\$	39,459,200
15	Sec. 109. NORTHERN REGION CORRECTIONAL FACILITIES		
16	Full-time equated classified positions	4,428.0	
17	Alger maximum correctional facility-Munising		
18	--380.8 FTE positions	\$	27,630,100
19	Baraga maximum correctional facility-Baraga		
20	--446.2 FTE positions		31,328,500
21	Chippewa correctional facility-Kincheloe		
22	--560.3 FTE positions		42,211,600
23	Kinross correctional facility-Kincheloe		
24	--570.1 FTE positions		44,415,200
25	Marquette Branch prison-Marquette		
26	--480.8 FTE positions		36,647,500
27	Newberry correctional facility-Newberry		
28	--354.4 FTE positions		25,528,700
29	Oaks correctional facility-Eastlake		

1	--419.8 FTE positions	30,770,800
2	Ojibway correctional facility-Marenisco	
3	--233.6 FTE positions	15,974,600
4	Pugsley correctional facility-Kingsley	
5	--235.8 FTE positions	14,632,800
6	Saginaw correctional facility-Freeland	
7	--343.4 FTE positions	25,455,600
8	Standish maximum correctional facility-Standish	
9	--402.8 FTE positions	<u>29,172,100</u>
10	GROSS APPROPRIATION	\$ 323,767,500
11	Appropriated from:	
12	Special revenue funds:	
13	State restricted revenues and reimbursements	1,098,500
14	State general fund/general purpose	\$ 322,669,000
15	Sec. 110. SOUTHEASTERN REGION CORRECTIONAL FACILITIES	
16	Full-time equated classified positions 5,480.6	
17	Cooper street correctional facility-Jackson	
18	--277.8 FTE positions	\$ 21,597,000
19	G. Robert Cotton correctional facility-Jackson	
20	--463.3 FTE positions	34,583,200
21	Charles E. Egeler correctional-Jackson	
22	--301.8 FTE positions	20,396,600
23	Gus Harrison correctional facility-Adrian	
24	--543.6 FTE positions	39,838,000
25	Huron Valley men's facility-Ypsilanti	
26	--287.8 FTE positions	21,295,900
27	Jackson maximum correctional facility-Jackson	
28	--637.2 FTE positions	45,163,700
29	Macomb correctional facility-New Haven	

1	--344.3 FTE positions	24,629,000
2	Mound correctional facility-Detroit	
3	--355.4 FTE positions	24,426,800
4	Parnall correctional facility-Jackson	
5	--295.0 FTE positions	22,360,600
6	Ryan correctional facility-Detroit	
7	--346.3 FTE positions	25,144,100
8	Scott correctional facility-Plymouth	
9	--340.7 FTE positions	24,231,500
10	Dental lab operations	102,300
11	Southern Michigan correctional facility-Jackson	
12	--482.6 FTE positions	30,553,500
13	Print shop operations	282,000
14	Thumb correctional facility-Lapeer	
15	--333.7 FTE positions	25,303,500
16	Western Wayne correctional facility-Plymouth	
17	--346.1 FTE positions	26,200,400
18	Jackson area administrative support and services	
19	--125.0 FTE positions	<u>19,301,100</u>
20	GROSS APPROPRIATION	\$ 405,409,200
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDT-dental lab operations	102,300
24	IDT-surplus food user fees	254,500
25	IDT-production kitchen user fees	5,080,000
26	IDT-print shop user fees	282,000
27	Federal revenues:	
28	Federal revenues and reimbursements	2,945,600
29	Special revenue funds:	

1	State restricted revenues and reimbursements	1,554,000
2	State general fund/general purpose	\$ 395,190,800
3	Sec. 111. SOUTHWESTERN REGION CORRECTIONAL FACILITIES	
4	Full-time equated classified positions	4,933.6
5	Bellamy Creek correctional facility-Ionia	
6	--445.0 FTE positions	\$ 8,987,700
7	E.C. Brooks correctional facility-Muskegon	
8	--517.3 FTE positions	39,046,800
9	Carson City correctional facility-Carson City	
10	--536.2 FTE positions	40,878,200
11	Florence Crane women's facility-Coldwater	
12	--400.8 FTE positions	29,848,500
13	Richard A. Handlon Michigan training unit-Ionia	
14	--270.0 FTE positions	21,089,100
15	Ionia maximum correctional facility-Ionia	
16	--372.0 FTE positions	26,457,000
17	Ionia temporary correctional facility-Ionia	
18	--208.9 FTE positions	16,418,500
19	Print shop operations	375,000
20	Lakeland correctional facility-Coldwater	
21	--268.9 FTE positions	21,145,600
22	Michigan reformatory-Ionia	
23	--392.1 FTE positions	32,344,800
24	Muskegon correctional facility-Muskegon	
25	--310.4 FTE positions	24,451,200
26	Pine River correctional facility-St. Louis	
27	--225.6 FTE positions	16,265,400
28	Riverside correctional facility-Ionia	
29	--341.0 FTE positions	26,513,800

1	St. Louis correctional facility-St. Louis	
2	--645.4 FTE positions	<u>43,516,900</u>
3	GROSS APPROPRIATION	\$ 347,338,500
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDT-print shop user fees	375,000
7	Special revenue funds:	
8	State restricted revenues and reimbursements	1,114,600
9	State general fund/general purpose	\$ 345,848,900
10	PART 2	
11	PROVISIONS CONCERNING APPROPRIATIONS	
12	GENERAL SECTIONS	
13	Sec. 201. (1) Pursuant to section 30 of article IX of the state	
14	constitution of 1963, total state spending under part 1 for fiscal	
15	year 2000-2001 is \$1,669,567,000.00 and state appropriations to be	
16	paid to local units of government are as follows:	
17	DEPARTMENT OF CORRECTIONS	
18	Field operations - assumption of county probation	
19	staff	\$ 36,909,600
20	Reimbursement to counties, parole revocation hearings,	
21	and court settlements	4,051,000
22	Public service work projects	12,116,000
23	Community corrections comprehensive plans and	
24	services	13,033,000
25	Community corrections probation residential	
26	centers	14,896,600
27	Community corrections public education and	
28	training	50,000
29	Regional jail program	<u>100</u>

1 TOTAL \$ 81,056,300

2 (2) If it appears to the principal executive officer of a
3 department or branch that state spending to local units of
4 government will be less than the amount that was projected to be
5 expended for any quarter under subsection (1), the principal
6 executive officer shall immediately give notice of the approximate
7 shortfall to the state budget director, the senate and house of
8 representatives standing committees on appropriations, and the
9 senate and house fiscal agencies.

10 Sec. 202. The expenditures and funding sources authorized under
11 this bill are subject to the management and budget act, 1984 PA 431,
12 MCL 18.1101 to 18.1594.

13 Sec. 203. As used in this bill:

14 (a) "Department" or "MDOC" means the Michigan department of
15 corrections.

16 (b) "DOJ" means the United States department of justice.

17 (c) "FTE" means full time equated.

18 (d) "IDG" means interdepartmental grant. .

19 (e) "IDT" means intradepartmental transfer.

20 (f) "MDCH" means the Michigan department of community health.

21 (g) "MDSP" means the Michigan department of state police.

22 (h) "PREP" means the prisoner rehabilitation and education
23 program.

24
25 Sec. 204. (1) Pursuant to the provisions of civil service rules
26 and regulations and applicable collective bargaining agreements,
27 individuals seeking employment with the department shall submit to a
28 controlled substance test. The test shall be administered by the
29 department.

30 (2) Individuals seeking employment with the department who refuse

1 to take a controlled substance test or who test positive for the
2 illicit use of a controlled substance on such a test shall be denied
3 employment.

4 Sec. 205. The department of civil service shall bill departments
5 and agencies at the end of the first fiscal quarter for the 1% charge
6 authorized by section 5 of article XI of the state constitution of
7 1963. Payments shall be made for the total amount of the billing by
8 the end of the second fiscal quarter.

9 Sec. 206. The department may charge fees and collect revenues in
10 excess of appropriations in part 1 not to exceed the cost of employee
11 meals, academic/vocational services, custody escorts, compassionate
12 visits, union steward activities, public work programs, and emergency
13 services provided to units of government. The revenues and fees
14 collected shall be appropriated for all expenses associated with these
15 services and activities.

16 Sec. 207. Of the state general fund/general purpose revenue
17 appropriated in part 1, \$511,748,700.00 represents a state spending
18 increase over the amount provided to the department for the fiscal
19 year ending September 30, 1994, and may be used to meet state match
20 requirements of programs contained in the violent crime control and
21 law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or
22 successor grant programs, so that any additional federal funds
23 received shall supplement funding provided to the department in part
24 1.

25 Sec. 208. (1) Beginning October 1, a hiring freeze is imposed on
26 the state classified civil service. State departments and agencies
27 are prohibited from hiring any new full-time state classified civil
28 service employees and prohibited from filling any vacant state
29 classified civil service positions. This hiring freeze does not apply
30 to internal transfers of classified employees from one position to

1 another within a department or to positions that are funded with 80%
2 or more federal or restricted funds.

3 (2) The state budget director shall grant exceptions to this
4 hiring freeze when the state budget director believes that the hiring
5 freeze will result in rendering a state department or agency unable to
6 deliver basic services. The state budget director shall report by the
7 30TH of each month to the chairpersons of the senate and house of
8 representatives standing committees on appropriations the number of
9 exceptions to the hiring freeze approved during the previous month and
10 the reasons to justify the exception.

11 Sec. 209. A prisoner who wins money in a lottery shall pay from
12 those winnings the amount necessary to reimburse the state for the
13 accrued cost of incarcerating that prisoner.

14 Sec. 210. (1) In addition to the funds appropriated in part 1,
15 there is appropriated an amount not to exceed \$20,000,000.00 for
16 federal contingency funds. These funds are not available for
17 expenditure until they have been transferred to another line item in
18 this bill pursuant to section 393(2) of the management and budget act,
19 1984 PA 431, MCL 18.1393.

20 (2) In addition to the funds appropriated in part 1, there is
21 appropriated an amount not to exceed \$5,000,000.00 for state
22 restricted contingency funds. These funds are not available for
23 expenditure until they have been transferred to another line item in
24 this bill pursuant to section 393(2) of the management and budget act,
25 1984 PA 431, MCL 18.1393.

26 (3) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$500,000.00 for local contingency
28 funds. These funds are not available for expenditure until they have
29 been transferred to another line item in this bill pursuant to section
30 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

1 (4) In addition to the funds appropriated in part 1, there is
2 appropriated an amount not to exceed \$500,000.00 for private
3 contingency funds. These funds are not available for expenditure
4 until they have been transferred to another line item in this bill
5 pursuant to section 393(2) of the management and budget act, 1984 PA
6 431, MCL 18.1393.

7 Sec. 211. (1) The department shall screen and assess each
8 prisoner for alcohol and other drug involvement to determine the need
9 for further treatment. The assessment process shall be designed to
10 identify the severity of alcohol and other drug addiction and
11 determine the treatment plan, if appropriate.

12 (2) Subject to the availability of funding resources, the
13 department shall provide substance abuse treatment to prisoners with
14 priority given to those prisoners who are most in need of treatment
15 and who can best benefit from program intervention based on the
16 screening and assessment provided under subsection (1).

17 Sec. 212. In expending residential substance abuse treatment
18 services funds appropriated by this bill, the department shall ensure
19 to the maximum extent possible that residential substance abuse
20 treatment services are available statewide.

21 Sec. 213. Of the amount appropriated for prisoner programs and
22 treatment, \$1,500,000.00 shall be expended for the second year of
23 implementing the MDOC in-prison drug treatment program with a minimum
24 of 2 in-prison drug treatment programs, and at least 1 program being
25 for male prisoners and 1 for female prisoners.

26 Sec. 214. Of the amount appropriated for prisoner programs and
27 treatment, \$1,000,000.00 shall be expended for the second year of
28 implementing the MDOC technical violator pilot drug treatment program
29 aimed at reducing parolee and probationer prison admissions for
30 substance abuse related technical violations or crimes.

1 Sec. 215. (1) The purpose of the substance abuse treatment pilot
2 programs funded under sections 213 and 214 and under 1998 PA 321 is to
3 evaluate and compare various substance abuse treatment modalities with
4 regard to cost and impact on prison admission, length of stay, jail
5 utilization, and offender relapse and recidivism and to provide for
6 continued monitoring of offenders and evaluation of program efficacy.

7 (2) Any funds appropriated to prisoner programs and treatment for
8 the MDOC in-prison drug treatment program and the MDOC technical
9 violator pilot drug treatment program that remain unexpended at the
10 end of the fiscal year shall not revert to the general fund but
11 instead shall be placed in separate work project accounts to be spent
12 as provided under this section and sections 213 and 214.

13 (3) The department shall contract with 1 or more independent third
14 parties for evaluation of alcohol and substance abuse programs
15 administered by the department, including in-prison programs and
16 programs provided through community placement or field programs. The
17 evaluation shall measure the impact of alcohol and other substance
18 abuse programs on prison admission, length of stay, jail utilization,
19 and offender relapse and recidivism. The evaluation of a program
20 funded under section 219(6) of 1998 PA 321 shall be consistent with
21 any requirements contained in the federal residential substance abuse
22 and treatment grant for that program. Evaluation of substance abuse
23 treatment pilot programs funded under sections 213 and 214 of this
24 bill, sections 220 and 221 of 1999 PA 92, and sections 220 and 221 of
25 1998 PA 321 shall be consistent with recommendations developed and
26 agreed to under section 222 of 1998 PA 321, and shall be structured so
27 as to allow the pilot programs funded under this bill, 1999 PA 92, and
28 1998 PA 321 to be compared with each other. Evaluations required by
29 this section shall to the extent feasible compare offenders treated
30 under those programs with other offenders of similar characteristics.

1 (4) The department shall develop agreements with 1 or more
2 independent third parties for monitoring of implementation of
3 substance abuse treatment pilot programs funded under this bill, 1999
4 PA 92, and under 1998 PA 321.

5 (5) The department shall report by April 1, 2001 to the house and
6 senate appropriations subcommittees on corrections and the house and
7 senate fiscal agencies on the progress on implementation of the
8 substance abuse treatment pilot programs funded under this bill, 1999
9 PA 92, and 1998 PA 321 and on implementation of evaluation and
10 monitoring requirements provided by this section.

11 Sec. 216. Sixty days before beginning any effort to privatize,
12 the department shall submit a complete project plan to the appropriate
13 subcommittees of the senate and house of representatives standing
14 committees on appropriations and the senate and house fiscal agencies.
15 The plan shall include the criteria under which the privatization
16 initiative will be evaluated. The evaluation shall be completed and
17 submitted to the appropriate subcommittees of the senate and house of
18 representatives standing committees on appropriations and the senate
19 and house fiscal agencies within 30 months.

20 Sec. 217. The department shall continue to pilot the use of the
21 Internet to fulfill the reporting requirements in this bill. This may
22 include transmission of reports via electronic mail to the recipients
23 identified for each reporting requirement or it may include placement
24 of reports on the Internet or on the Intranet. The appropriations
25 subcommittees shall be notified in writing of the Internet/Intranet
26 site of each such report.

27 Sec. 218. The appropriations in part 1 contain funding to support
28 an average prison population for each correctional facility and are as
29 follows:

30 Alger maximum correctional facility-Munising 844

1	Baraga maximum correctional facility-Baraga .	1,084
2	Bellamy Creek correctional facility-Ionia . .	1,500
3	E.C. Brooks correctional facility-Muskegon .	2,200
4	Carson City correctional facility-Carson City .	2,200
5	Chippewa correctional facility-Kincheloe . . .	2,322
6	Cooper Street correctional facility-Jackson .	1,302
7	G. Robert Cotton correctional facility-Jackson .	1,842
8	Florence Crane women's facility-Coldwater . .	1,350
9	Charles E. Egeler correctional facility-Jackson	1,006
10	Richard A. Handlon Michigan training unit-Ionia	1,315
11	Gus Harrison correctional facility-Adrian . .	2,200
12	Huron Valley men's facility-Ypsilanti	497
13	Ionia maximum correctional facility-Ionia . .	636
14	Ionia temporary correctional facility-Ionia .	960
15	Jackson maximum correctional facility-Jackson	1,556
16	Kinross correctional facility-Kincheloe . . .	2,423
17	Lakeland correctional facility-Coldwater . . .	1,200
18	Macomb correctional facility-New Haven	1,228
19	Marquette branch prison-Marquette	1,129
20	Michigan reformatory-Ionia	1,338
21	Michigan youth correctional facility-Baldwin	480
22	Mound correctional facility-Detroit	1,044
23	Muskegon correctional facility-Muskegon . . .	1,310
24	Newberry correctional facility-Newberry . . .	1,144
25	Oaks correctional facility-Eastlake	900
26	Ojibway correctional facility-Marenisco . . .	1,196
27	Parnall correctional facility-Jackson	1,448
28	Pine River correctional facility-St. Louis . .	960
29	Pugsley correctional facility-Kingsley	954
30	Riverside correctional facility-Ionia	1,034

1	Ryan correctional facility-Detroit	1,044
2	Saginaw correctional facility-Freeland	1,228
3	Scott correctional facility-Plymouth	847
4	Southern Michigan correctional facility-Jackson	881
5	Standish maximum correctional facility-Standish	866
6	St. Louis correctional facility-St. Louis . .	2,254
7	Thumb correctional facility-Lapeer	1,214
8	Western Wayne correctional facility-Plymouth	1,045
9	Total population	49,981

EXECUTIVE

11 Sec. 301. The department shall submit 3-year and 5-year prison
 12 population projection updates by February 1, 2001 to the senate and
 13 house appropriations subcommittees on corrections, the senate and
 14 house fiscal agencies, and the state budget director.

15 Sec. 302. (1) The department shall annually prepare and submit
 16 individual reports for the technical rule violator program, the
 17 community residential program, the electronic tether program,
 18 and the special alternative to incarceration program. The reports
 19 shall include the following:

20 (a) Monthly new participants.

21 (b) Monthly participant unsuccessful terminations, including
 22 cause.

23 (c) Number of successful terminations.

24 (d) End month population by facility/program.

25 (e) Average length of placement.

26 (f) Return to prison statistics.

27 (g) Description of program location(s), capacity, and staffing.

28 (h) Sentencing guideline scores and actual sentence statistics for
 29 participants, if applicable.

30 (i) Comparison with prior year statistics.

1 (j) Analysis of the impact on prison admissions and jail
2 utilization and the cost effectiveness of the program.

3 (2) Annual reports shall be prepared and submitted by April 1,
4 2001 to the house and senate appropriations subcommittees on
5 corrections, the house and senate fiscal agencies, and the state
6 budget director.

7 **ADMINISTRATION AND PROGRAMS**

8 Sec. 401. From the funds appropriated for reimbursement to
9 counties, parole revocation hearings, and court settlements, the
10 department shall reimburse counties for housing and custody of parole
11 violators and offenders being returned by the department from
12 community placement to institutional status and for prisoners who
13 volunteer for placement in a county jail.

14 **FIELD OPERATIONS ADMINISTRATION**

15 Sec. 501. (1) Of the amount appropriated for field programs,
16 \$546,900.00 is appropriated for the community service work program and
17 shall be used for salaries and wages and fringe benefit costs of
18 community service coordinators employed by the department to supervise
19 offenders participating in work crew assignments. Funds shall also be
20 used to cover motor transport division rates on state vehicles used to
21 transport offenders to community service work project sites.

22 (2) The community service work program shall provide adult
23 offenders with community service work of tangible benefit to a
24 community while fulfilling court-ordered community service work
25 sanctions and other postconviction obligations.

26 (3) As used in this section, "community service work" means work
27 performed by an offender in an unpaid position with a nonprofit or tax
28 supported or government agency for a specified number of hours of work
29 or service within a given time period.

30 Sec. 502. (1) All prisoners, probationers, and parolees involved

1 with the electronic tether program shall reimburse the department for
2 the equipment costs and telephone charges associated with their
3 participation in the program. The department may require community
4 service work reimbursement as a means of payment for those able-bodied
5 individuals unable to pay for the cost of the equipment.

6 (2) Program participant contributions and local community tether
7 program reimbursement for the electronic tether program appropriated
8 in part 1 are related to program expenditures and may be used to
9 offset expenditures for this purpose.

10 (3) Included in the appropriation in part 1 is adequate funding to
11 implement the community tether program to be administered by the
12 department. The community tether program is intended to provide
13 sentencing judges and county sheriffs in coordination with local
14 community corrections advisory boards access to the state's electronic
15 tether program to reduce prison admissions and improve local jail
16 utilization. The department shall determine the appropriate
17 distribution of the tether units throughout the state based upon
18 locally developed comprehensive corrections plans pursuant to the
19 community corrections act, 1988 PA 511, MCL 791.401 to 791.414.

20 (4) For a fee determined by the department, the department will
21 provide counties with the tether equipment, replacement parts,
22 administrative oversight of the equipment's operation, notification of
23 violators, and periodic reports regarding county program participants.
24 Counties are responsible for tether equipment installation and service
25 and apprehension of program violators. For an additional fee, the
26 department will provide staff to install and service the equipment.
27 Counties are responsible for the coordination and apprehension of
28 program violators.

29 (5) Any county with tether charges outstanding over 60 days shall
30 be considered in violation of the community tether program agreement

1 and lose access to the program.

2 Sec. 503. Community-placement prisoners and parolees shall
3 reimburse the department for the operational costs of the program. As
4 an alternative method of payment, the department may develop a
5 community service work schedule for those individuals unable to meet
6 reimbursement requirements established by the department.

7 Sec. 504. The department shall establish a uniform rate to be
8 paid by agencies that benefit from public work services provided by
9 special alternative incarceration participants and prisoners.

10 **COMMUNITY CORRECTIONS**

11 Sec. 601. (1) The department shall administer a county jail
12 reimbursement program from the funds appropriated in part 1 for the
13 purpose of reimbursing counties for housing in jails felons who
14 otherwise would have been sentenced to prison.

15 (2) The county jail reimbursement program shall reimburse counties
16 for housing and custody of convicted felons, in a total amount not to
17 exceed the appropriation in part 1. Reimbursement criteria shall be
18 based on sentencing guidelines score and other offender
19 characteristics that are consistent with the intent of diverting
20 felons who otherwise would have been sentenced to prison which shall
21 be developed by the department.

22 (3) From the funds appropriated in part 1 for the county jail
23 reimbursement program, the department shall contract for an ongoing
24 study to determine the impact of the new legislative sentencing
25 guidelines. The study shall analyze historical sentencing patterns of
26 jurisdictions as well as current and future patterns in order to
27 determine and quantify the population impact on prisons and jails of
28 the new guidelines as well as to identify and define felon or crime
29 characteristics or sentencing guidelines scores that indicate a felon
30 is a prison diversion. The department shall contract for a local and

1 statewide study for this purpose and provide periodic reports
2 regarding the status and findings of the study to the house and senate
3 appropriations subcommittees on corrections, the house and senate
4 fiscal agencies, and the state budget director.

5 Sec. 602. (1) From the funds appropriated in part 1 for probation
6 residential centers, funds are allocated for the operation of a
7 probation detention program in a county that has adopted a charter
8 pursuant to 1966 PA 293, MCL 45.501 to 45.521. The probation
9 detention program shall have a capacity of 100 beds. The department
10 shall provide the program administrator monthly with 90-day
11 projections of the numbers of beds expected to be needed for
12 probationers and parolees in Phase II residential placement under
13 section 4(2) of the special alternative incarceration act, 1988 PA
14 287, MCL 798.14, and the program administrator shall make beds
15 available as necessary to house probationers and parolees entering
16 Phase II residential placement.

17 (2) Funds awarded for probation residential centers in section 105
18 shall provide for a per diem reimbursement of not more than \$43.00.

19 (3) Payments under this section for operation of the probation
20 detention program shall be made at the same rates applicable to
21 disbursement of other funds awarded under the probation residential
22 centers line item, not to exceed a total expenditure of \$1,569,500.00.

23 (4) The purpose of the probation detention program is to reduce
24 the admission to prison of probation violators by providing a
25 community punishment program within a secure environment with 24-hour
26 supervision and programming with an emphasis on structured daily
27 activities. Programming shall include, but need not be limited to,
28 the following components that may be provided directly or by referral:

29 (a) Orientation and assessment.

30 (b) Substance abuse counseling.

- 1 (c) Life skills counseling.
- 2 (d) Education.
- 3 (e) Employment preparation.
- 4 (f) Vocational training.
- 5 (g) Employment.
- 6 (h) Community service.
- 7 (i) Physical training.
- 8 (j) Cognitive skill training.

9 (5) The probation detention program shall reduce the admission to
10 prison of probation violators directly or indirectly by providing a
11 program for direct sentencing of felony probation violators who likely
12 would be prison-bound based on historical local sentencing practices
13 or by removing probation violators from jail with a resulting increase
14 in the number of jail beds available and used for felons who otherwise
15 would be likely to be sentenced to prison based on historical local
16 sentencing practices.

17 (6) The operation of the probation detention program shall be
18 included in an approved community corrections comprehensive plan for
19 the county described in subsection (1) pursuant to the community
20 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

21 (7) The comprehensive plan shall specify the programs, eligibility
22 criteria, referral, and enrollment process, the assessment and client-
23 specific planning case management process, a program design that
24 includes a variable length of stay based on assessed need, and the
25 evaluation methodology to show the impact of the program on prison
26 admissions and recidivism.

27 (8) The length of stay for a probationer or parolee in Phase II
28 residential placement shall be at the department's discretion based on
29 the offender assessment and client-specific planning case management
30 process and the offender's progress at meeting the case management

1 objectives, but shall not exceed 120 days.

2 (9) The department shall require the program administrator to
3 report by March 1, 2001 to the department, the state budget director,
4 the senate and house fiscal agencies, and the senate and house
5 appropriations subcommittees on corrections concerning the program's
6 impact on prison admissions and recidivism including, but not limited
7 to, the numbers of offenders released from the probation detention
8 program who are arrested for a felony offense within 1 year of their
9 termination from the program.

10 **CONSENT DECREES**

11 Sec. 701. Funding appropriated in part 1 for consent decree line
12 items is appropriated into separate control accounts created for each
13 line item. Funding in each control account shall be distributed as
14 necessary into separate accounts created for the purpose of separately
15 identifying costs and expenditures associated with each consent
16 decree.

17 Sec. 702. The maximum reimbursement to colleges participating in
18 the prisoner rehabilitation and education program (PREP) shall be
19 limited to \$4.00 per student contact hour not to exceed 19.5 contact
20 hours per semester credit hour.

21 Sec. 703. (1) Appropriations in this bill shall not be used to
22 pay any costs associated with college or university programming for
23 prison inmates, unless such payments are required by existing court
24 orders or consent decrees.

25 (2) If the department is successful in modifying the Hadix v
26 Johnson consent decree to eliminate required college and university
27 programming, all funding for the prisoner rehabilitation and education
28 program shall be transferred to the academic/vocational costs line
29 item in the budget to eliminate waiting lists for general education
30 development, adult basic education, and vocational education

1 programming. Transfers and programming changes shall be based on
2 college and university semesters or terms. Transfers for this purpose
3 shall be made through the legislative transfer process pursuant to
4 section 393(2) of the management and budget act, 1984 PA 431, MCL
5 18.1393.

6 **HEALTH CARE**

7 Sec. 801. The department shall not expend funds appropriated
8 under this bill for any surgery, procedure, or treatment to provide or
9 maintain a prisoner's sex change unless it is determined medically
10 necessary by a physician.

11 Sec. 802. The department may require prisoners to pay a co-
12 payment of not less than \$3.00 for nonemergency medical care.

13 **CORRECTIONAL FACILITIES ADMINISTRATION**

14 Sec. 901. (1) The inmate housing fund shall be used for the
15 custody, treatment, clinical, and administrative costs associated with
16 the housing of prisoners other than those specifically budgeted for
17 elsewhere in this bill. Funding in the inmate housing fund is
18 appropriated into a separate control account. Funding in the control
19 account shall be distributed as necessary into separate accounts
20 created to separately identify costs for specific purposes.

21 (2) Quarterly reports on all expenditures from the inmate housing
22 fund shall be submitted by the department to the state budget
23 director, the senate and house appropriations subcommittees on
24 corrections, and the senate and house fiscal agencies.

25 **INSTITUTIONAL OPERATIONS**

26 Sec. 1001. As a condition of expenditure of the funds
27 appropriated in part 1, the department shall ensure that smoking areas
28 are designated for use by prisoners and staff at each facility. At a
29 minimum, all outdoor areas within each facility's perimeter shall be
30 designated for smoking, except that smoking may be forbidden within 20

1 feet of any building designated as nonsmoking or smoke-free.

2 Sec. 1002. From the funds appropriated in part 1, the department
3 shall allocate sufficient funds to develop a pilot children's
4 visitation program. The pilot program shall teach parenting skills
5 and arrange for day visitation at these facilities for parents and
6 their children, except for the families of prisoners convicted of a
7 crime involving criminal sexual conduct in which the victim was less
8 than 18 years of age or involving child abuse.

9 Sec. 1003. As a condition of expenditure of funds appropriated in
10 part 1, the department shall prohibit prisoners from using
11 interdepartmental mail except to correspond with the department.

12 Sec. 1004. Funds appropriated under part 1 shall not be expended
13 to provide prisoners with access to or use of the Internet or any
14 similar system.

15 Sec. 1005. Any department employee who, in the course of his or
16 her job, is determined by a physician to have had a potential exposure
17 to the hepatitis B virus, shall receive a hepatitis B vaccination upon
18 request.